



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

---

JPL  
F. #2019R01465

*271 Cadman Plaza East  
Brooklyn, New York 11201*

March 7, 2022

By ECF

The Honorable Eric N. Vitaliano  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Javier Aguilar  
Criminal Docket No. 20-390 (ENV)

Dear Judge Vitaliano:

The government writes in response to the defendant Javier Aguilar's March 7, 2022 letter to the Court (ECF Dkt. No. 92), concerning last week's hearing on the defendant's Motion to Suppress (the "Motion," ECF Dkt. No. 66). Regarding the defendant's proposed briefing schedule, while the government defers to the Court both as to the format and schedule of the briefing, the government submits that it would be more efficient for the defendant to first file a post-hearing brief in support of his Motion, for the government to respond to the specific arguments made by the defendant, and for the defendant to have an opportunity thereafter to submit a reply to the government's response. The government proposes a briefing schedule of 15 days for the initial brief, 15 days for the response, and 5 days for the reply.

Additionally, while the government disagrees with a number of statements and characterizations in the defendant's letter, it will not address those disagreements here because

the defendant has already rested and those issues are otherwise not pertinent to resolution of the Motion.

Respectfully submitted,

BREON PEACE  
United States Attorney

By: \_\_\_\_\_ /s/

Jonathan P. Lax  
Assistant U.S. Attorney  
(718) 254-6139

cc: All Counsel of Record (by ECF)